

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

MARY LOMBARDO,
Plaintiff,

v.

CREDIT SOLUTIONS CORPORATION,
Defendant.

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CIVIL ACTION NO. 4:13-CV-576

**DEFENDANT CREDIT SOLUTIONS CORPORATION'S ANSWER TO PLAINTIFF'S
COMPLAINT**

COMES NOW, Defendant Credit Solutions Corporation, by and through the undersigned counsel, files its Answer and Defenses to Plaintiff's Complaint "Complaint" filed by Mary Lombardo ("Plaintiff"). The paragraph numbers below correspond with the paragraph numbers contained in the Plaintiff's Complaint to the extent possible:

**I.
NATURE OF ACTION**

1. Defendant admits Paragraph 1.
2. Defendant admits Paragraph 2.
3. Defendant admits Plaintiff alleges violations of various debt collection statutes, but denies it violated those statutes.
4. Defendant is without sufficient information to admit or deny Paragraph 4.
5. Defendant is without sufficient information to admit or deny Paragraph 5.
6. Defendant is without sufficient information to admit or deny Paragraph 6.
7. Defendant admits Paragraph 7.
8. Defendant admits Paragraph 8.

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9. Defendant admits Paragraph 9.
10. Defendant denies resignation is required and denies that it attempted to conduct business with the Plaintiff in Texas.
11. Defendant admits Paragraph 11.
12. Defendant admits it collects debts, but cannot admit or deny the nature of the debt to be collected.
13. Defendant is without sufficient information to admit or deny Paragraph 13.
14. Defendant is without sufficient information to admit or deny Paragraph 14.
15. Defendant admits Paragraph 15.
16. Defendant admits Paragraph 16.
17. Defendant is without sufficient information to admit or deny Paragraph 17.
18. Defendant is without sufficient information to admit or deny Paragraph 18.
19. Defendant admits its collectors are employees so long as they act within the course and scope of their employment.
20. Defendant admits its collectors are employees so long as they act within the course and scope of their employment.
21. Defendant made telephone calls to Plaintiff.
22. Defendant is without sufficient information to admit or deny Paragraph 22. Recordings and account notes will speak for themselves. Defendant does not know what recordings Plaintiff has.
23. Defendant is without sufficient information to admit or deny Paragraph 23. Recordings and account notes will speak for themselves. Defendant does not know what recordings Plaintiff has.

24. Defendant is without sufficient information to admit or deny Paragraph 24. Recordings and account notes will speak for themselves. Defendant does not know what recordings Plaintiff has.
25. Defendant is without sufficient information to admit or deny Paragraph 25. Recordings and account notes will speak for themselves. Defendant does not know what recordings Plaintiff has.
26. Defendant admits calling Plaintiff on September 18, 2013. However, believed it was calling a Washington State number in the Pacific Standard Time zone.
27. Defendant admits calling Plaintiff on September 18, 2013. However, believed it was calling a Washington State number in the Pacific Standard Time zone.
28. Defendant is without sufficient information to admit or deny Paragraph 28. However, Defendant's information provided Defendant with a Washington State address for Plaintiff.
29. Defendant is without sufficient information to admit or deny Paragraph 29. However, Defendant was calling Plaintiff at a Washington State address in the Pacific Standard Time zone.
30. Defendant admits it was attempting to collect a debt.
31. Defendant admits Paragraph 31.
32. Defendant admits Paragraph 32.
33. Defendant admits Paragraph 33.
34. Defendant admits Paragraph 34.
35. Defendant admits Paragraph 35.

36. Defendant is without sufficient information to admit or deny Paragraph 36. The messages will speak for themselves.
37. Defendant denies Paragraph 37.
38. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 38.
39. Defendant denies it caused damage to Plaintiff. Plaintiff is seeking damages as alleged in Paragraph 39.
40. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 40.
41. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 41.
42. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 42.
43. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 43.
44. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 44.
45. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 45.
46. Defendant denies Paragraph 46 is a complete or accurate statement of the law. Defendant admits it may act only through employees and agents acting within the course and scope of their authority as stated in Paragraph 46.
47. Defendant denies Plaintiff is entitled to damages she seeks in Paragraph 47.

- 48. Defendant incorporates preceding Paragraphs.
- 49. Defendant denies Paragraph 49.
- 50. Defendant denies Plaintiff is entitled to relief sought in Paragraph 50.
- 51. Defendant incorporates the preceding Paragraphs.
- 52. Defendant denies Paragraph 52.
- 53. Defendant denies Plaintiff is entitled to relief sought in Paragraph 53.
- 54. Defendant denies Paragraph 54.
- 55. Defendant denies Paragraph 55.
- 56. Defendant admits Paragraph 56.
- 57. Defendant denies Plaintiff is entitled to relief sought in Paragraph 57.
- 58. Defendant denies Plaintiff is entitled to relief sought in Paragraph 58.
- 59. Defendant denies Plaintiff is entitled to relief sought in Paragraph 59.
- 60. Defendant denies Plaintiff is entitled to relief sought in Paragraph 60.
- 61. Defendant denies Plaintiff is entitled to relief sought in Paragraph 61.
- 62. Defendant denies Plaintiff is entitled to relief sought in Paragraph 62.

II.
AFFIRMATIVE DEFENSES

- 63. Plaintiff has failed to mitigate damages, if any.
- 64. Plaintiff's damages, if any, are the result of a preexisting injury.
- 65. Any violation, if it occurred, is a result of a bona fide error.

WHEREFORE, PREMISES CONSIDERED, Defendant, respectfully prays that Plaintiff take nothing herein, that said Defendant be dismissed with its costs, and all other and further relief, at law or in equity, to which Defendant may be justly entitled.

Respectfully submitted,

ROBBIE MALONE, PLLC

/s/ Robbie Malone
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record via ECF on this 14th day of November, 2013.

Jeff Wood
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/s/ Robbie Malone
ROBBIE MALONE